

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: June 9, 1986
Norman E. Gerber, AICP, Director
Office of Planning and Zoning
FROM: Zoning Variance #86-521-A; Pasram
and
Zoning Variance #86-526-A; Rutkowski et al.

I have reviewed the above petitions and have found their requests to be consistent with the requirements of the Chesapeake Bay Critical Area legislation.

Norman E. Gerber, AICP
Director

NEG:slm

cc: Ms. Jean Jung
Mr. Jim Hoswell
Mr. Tom Vidmar
Ms. Audrey Thier
Mr. Tim Dugan
Mr. Paul Solomon

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221

RE: Item No. 395 - Case No. 86-521-A
Petitioner: Davitrie Pasram
Variance Petition

Dear Mr. Pasram:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Templar Engineering, Inc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: June 9, 1986
Norman E. Gerber, AICP, Director
Office of Planning and Zoning
FROM: Zoning Variance #86-521-A; Pasram
and
Zoning Variance #86-526-A; Rutkowski et al.

I have reviewed the above petitions and have found their requests to be consistent with the requirements of the Chesapeake Bay Critical Area legislation.

Norman E. Gerber, AICP
Director

NEG:slm

cc: Ms. Jean Jung
Mr. Jim Hoswell
Mr. Tom Vidmar
Ms. Audrey Thier
Mr. Tim Dugan
Mr. Paul Solomon

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: June 9, 1986
Norman E. Gerber, AICP, Director
Office of Planning and Zoning
FROM: Zoning Petition No. 86-521-A and 86-526-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber, AICP
Director

NEG:JCH:slm

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2586
494-4500

PAUL H. REINCKE
CHIEF

May 20, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Davitrie Pasram (Critical Area)

Location: NE/S Kingston Rd, 146' SW Southern Rd.

Item No.: 395 Zoning Appeal: 5/6/86

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

2. A second means of vehicle access is required for the site.

3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

6. Site plans are approved, as drawn.

7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: [Signature] Planning Group
Special Inspection Division

Noted and Approved: [Signature] Fire Prevention Bureau

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

May 19, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 395 Zoning Advisory Committee Meeting are as follows:

Property Owner: Herman Anschutz, et ux

Location: NE/S Naysall Road, 180 feet SE Glenmill Road

District: 11th

APPLICABLE CODES ARE CITED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I., #11-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a Professional Engineer or Architect or Engineer is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

5. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. All walls built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the _____ to the _____ or to Mixed Uses. See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 116.c of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.

10. Comments: Each tenant shall be provided with an independent exit. A one hour tenant separation is required to separate each tenant. A smoke detector is required in each tenant space. Maximum height for SB construction (Table 101) for R-2 Use Group is 2 stories. See Table 501.

11. These abbreviated comments reflect only the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 127 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

12. G. C. Burman, Chief Building Plans Reviewer.

IMPORTANT NOTE: [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

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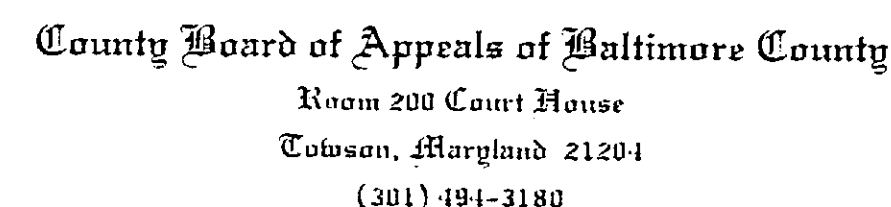
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This matter comes before the Board from the Order of the Deputy Zoning Commissioner dated July 10, 1986, denying the petitioned variance from Section 402.1, Baltimore County Zoning Regulations (B.C.Z.R.). The petitioned variance seeks relief to permit a lot width of 85 feet in lieu of the required 95 feet for a three-apartment dwelling.

There were no protestants who appeared before this Board and the only witness testifying was the Petitioner. She testified that she acquired the property by contract dated August 2, 1983. The Contract of Sale indicated that the property was of a width of 100 feet, more or less. The Petitioner assumed the mortgage of the prior property owners.

Ms. Pasran further testified that it was her understanding that the improvements on the property had been used as a three-apartment dwelling since 1959. Although tenants have not continuously occupied the dwelling since that time, the three-apartment infrastructure has existed.

In early 1985, the Zoning Office received a complaint regarding vehicles on the site and the use of the storage shed which exists on the rear property line. Although these problems were rectified, the zoning authorities notified the property owner that the site was less than 95 feet and therefore a variance was needed. The petition before us was then filed.



February 12, 1987

S. Eric DiNenna, Esquire
DINENNA, MANN & BRESCHI
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: Case No. 86-521-A
Davitrie Pasram

Dear Mr. DiNenna:

Enclosed is a copy of the final Opinion and Order passed today by the County Board of Appeals in the subject matter.

Sincerely,

Kathi C. Weidenhammer
Kathi C. Weidenhammer
Administrative Secretary

Encl.

cc: Ms. Davitrié Pasram
Mr. Leo Messenger
Phyllis C. Friedman, Esquire
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

2.

It is clear that to deny the variance would result in some hardship or practical difficulty for the property owner. From a density standpoint, the property is large enough to accommodate three dwellings. Additionally, the property borders an alley, which further serves as a buffer as contemplated by the setback requirements. To restrict this property to a use less than what has been enjoyed for over 25 years would serve no purpose, and the Board therefore finds that the Petitioner has met her burden that the variance should be granted and will so order.

IT IS THEREFORE this 12th day of February, 1987, by the County Board of Appeals ORDERED that the Variance be and is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Keith S. Franz

Lawrence E. Schmidt

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

[illegible]

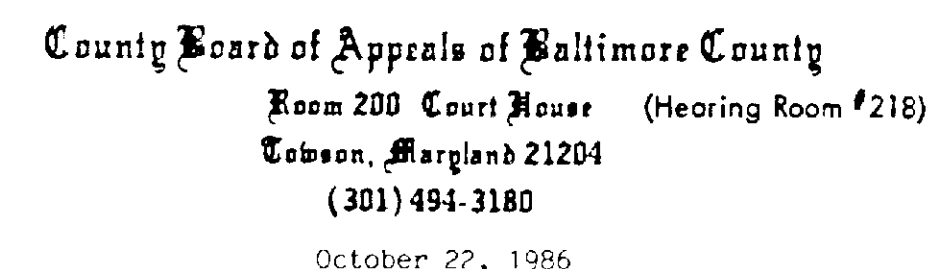
• • • • •

This matter comes before the Board from the Order of the Deputy Zoning Commissioner dated July 16, 1966, denying the petitioned variance from Section 402.1, Baltimore County Zoning Regulations (B.C.Z.R.). The petitioned variance seeks relief to permit a lot width of 85 feet in lieu of the required 95 feet for a three-apartment dwelling.

There were no protestants who appeared before this Board and the only witness testifying was the Petitioner. She testified that she acquired the property by contract dated August 2, 1931. The Contract of Sale indicated that the property was of a width of 100 feet, more or less. The Petitioner assumed the mortgage of the prior property owners.

Ms. Pagan further testified that it was her understanding that the improvements on the property had been used as a three-apartment dwelling since 1952. Although tenants have not continuously occupied the dwelling since that time, the three-apartment infrastructure has existed.

In early 1955, the Zoning Office received a complaint regarding vehicles on the site and the use of the storage shed which exists on the rear property line. Although these problems were rectified, the zoning authorities notified the property owner that the site was less than 95 feet and therefore a variance was needed. The petition before us was then filed.



NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-521-A

DAVITRIE PASRAM
RE: PETITION FOR ZONING VARIANCE FROM
§ 402.1 TO PERMIT A LOT WIDTH OF 85' IN
LIEU OF REQ. 95' FOR A 3 APT DWELLING
NE/S OF KINGSTON ROAD, 146' SE OF
SOUTHERN ROAD (531 KINGSTON ROAD)
15th DISTRICT

7/10/86 - D.Z.C. DENIED VARIANCE.

ASSIGNED FOR:

cc: S. Eric DiNenna, Esquire	Counsel for Appellant/Petitioner
Ms. Davitrie Pasram	Appellant/Petitioner
Mr. Leo Messenger	Appellee/Protestant
Phyllis C. Friedman, Esquire	
Norman E. Gerber	
James Hoswell	
Arnold Jablon	
Jean M. H. Jung	
James E. Dyer	
Margaret E. duBois	

Kathi C. Weidenhammer
Administrative Secretary

It is clear that to deny the variance would result in some hardship or practical difficulty for the property owner. From a density standpoint, the property is large enough to accommodate three dwellings. Additionally, the property borders an alley, which further serves as a buffer as contemplated by the setback requirements. To restrict this property to a use less than what has been employed for over 25 years would serve no purpose, and the Board therefore finds that the Petitioner has met her burden that the variance should be granted and will so order.

IT IS THEREFORE this 12th day of February, 1937, by the County Board of Appeals ORDERED that the Variance be and is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules 8-1 through 8-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

William T. Haskell

Keith S. Franz

Lawrence E. Schmitt

10/22/86 - NOTIFIED FOLLOWING OF HEARING SCHEDULED FOR THURS, Febr. 5, 1987 at 10 a.m.

S. Eric DiNenna, Esquire
Ms. Davitrie Pasram
Mr. Leo Messenger
Phyllis C. Friedman, Esquire
Norman E. Gerber; James Hoswell
Arnold Jablon; Jean M. H. Jung; James E. Dyer; Margaret E. duBois



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

October 22, 1986

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-521-A DAVITRIE PASRAM
RE: PETITION FOR ZONING VARIANCE FROM
§ 402-1 TO PERMIT A LOT WIDTH OF 85' IN
LIEU OF REQ. 95' FOR A 3 APT DWELLING
NE/S OF KINGSTON ROAD, 146' SE OF
SOUTHERN ROAD (531 KINGSTON ROAD)
15th DISTRICT
7/10/86 - D.Z.C. DENIED VARIANCE.
ASSIGNED FOR: THURSDAY, FEBRUARY 5, 1987 at 10:00 a.m.
cc: S. Eric DiNenna, Esquire Counsel for Appellant/Petitioner
Ms. Davitrie Pasram Appellant/Petitioner
Mr. Leo Messenger Appellee/Protestant
Phyllis C. Friedman, Esquire
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois

Kathi C. Weidenhammer
Administrative Secretary



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

August 11, 1986

Mr. Leo Messenger
2206 Southern Road
Baltimore, Maryland 21220

Phyllis C. Friedman, Esquire
People's Council
Room 223 Courthouse
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NE/S of Kingston Rd., 146' SE of
Southern Rd. (531 Kingston Rd.)
15th Election District
Davitrie Pasram - Petitioner
Case No. 86-521-A

Dear Mr. Messenger and Ms. Friedman:

Please be advised that on August 6, 1986, an appeal was filed by Appellant/Petitioner, Davitrie Pasram, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above-captioned matter.

You will be notified of the date and time of the appeal hearing when it has been scheduled by the County Board of Appeals (494-3180).

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

ccs: Ms. Davitrie Pasram
S. Eric DiNenna, Esquire

IN RE: PETITION FOR
ZONING VARIANCE
NE/S Kingston Road,
146' SE
of Southern Road
(531 Kingston Road)
15th Election District
Davitrie Pasram
Petitioner
BEFORE THE
COUNTY BOARD OF APPEALS
FOR
BALTIMORE COUNTY
Case No.: 86-521-A

ORDER OF APPEAL

MR. COMMISSIONER:

Please enter an appeal on behalf of the Petitioner, Davitrie Pasram, to the County Board of Appeals from the Order of the Deputy Zoning Commissioner dated July 10, 1986.

S. Eric DiNenna
S. ERIC DINENNA
DINENNA, MANN & BRESCHI
406 West Pennsylvania Avenue
Towson, Maryland 21204
(301) 296-6820

Attorneys for Petitioner

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 5th day of August, 1986, a copy of the foregoing Order of Appeal was mailed, postage prepaid, to Ms. Phyllis Friedman, People's Council, Court House, Towson, Maryland 21204 and to Mr. Leo Messenger, 2206 Southern Road, Baltimore, Maryland 21220.

S. Eric DiNenna
S. ERIC DINENNA

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR. P.A.
GEORGE A. BRESCHI, P.A.
ROBERT A. BRESCHI

406 WEST PENNSYLVANIA AVE
TOWSON, MARYLAND 21204
MD 21204-2020

August 5, 1986

Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

RE: Davitrie Pasram, Petitioner
531 Kingston Road
Case No.: 86-521-A

Dear Mr. Commissioner:

Enclosed herewith please find an Order of Appeal concerning the above-captioned matter and my escrow check in the amount of \$90.00 to cover the cost of same.

Please forward this matter to the County Board of Appeals.

Very truly yours,
S. Eric DiNenna
S. ERIC DINENNA

SED:kar

Enclosures

cc: Ms. Davitrie Pasram
Ms. Phyllis Friedman, People's Council
Mr. Leo Messenger



DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR. P.A.
GEORGE A. BRESCHI, P.A.
ROBERT A. BRESCHI

406 WEST PENNSYLVANIA AVE
TOWSON, MARYLAND 21204
(301) 296-6820

August 5, 1986

Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

RE: Davitrie Pasram, Petitioner
531 Kingston Road
Case No.: 86-521-A

Dear Mr. Commissioner:

Enclosed herewith please find an Order of Appeal concerning the above-captioned matter and my escrow check in the amount of \$90.00 to cover the cost of same.

Please forward this matter to the County Board of Appeals.

Very truly yours,
S. Eric DiNenna
S. ERIC DINENNA

SED:kar

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025830

DATE 8/6/86 ACCOUNT 20415-000
AMOUNT \$90.00
RECEIVED FROM S. Eric DiNenna
FOR Appeal - Davitrie Pasram
Case # 86-521-A
8 8023*****200010 10/86
VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION FOR
ZONING VARIANCE
NE/S Kingston Road,
146' SE
of Southern Road
(531 Kingston Road)
15th Election District
Davitrie Pasram
Petitioner
BEFORE THE
COUNTY BOARD OF APPEALS
FOR
BALTIMORE COUNTY
Case No.: 86-521-A

ORDER OF APPEAL

MR. COMMISSIONER:

Please enter an appeal on behalf of the Petitioner, Davitrie Pasram, to the County Board of Appeals from the Order of the Deputy Zoning Commissioner dated July 10, 1986.

S. Eric DiNenna
S. ERIC DINENNA
DINENNA, MANN & BRESCHI
406 West Pennsylvania Avenue
Towson, Maryland 21204
(301) 296-6820

Attorneys for Petitioner

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 5th day of August, 1986, a copy of the foregoing Order of Appeal was mailed, postage prepaid, to Ms. Phyllis Friedman, People's Council, Court House, Towson, Maryland 21204 and to Mr. Leo Messenger, 2206 Southern Road, Baltimore, Maryland 21220.

S. Eric DiNenna
S. ERIC DINENNA

IN RE: PETITION FOR ZONING VARIANCE
NE/S Kingston Road, 146' SE
of Southern Road
(531 Kingston Road)
15th Election District
Davitrie Pasram
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-521-A

The Petitioner herein requests a zoning variance to permit a lot width of 85 feet in lieu of the required 95 feet for a three apartment dwelling.

Testimony by and on behalf of the Petitioner indicated that she purchased the building in 1983 at which time three separate families lived in the three apartments, each of which has a kitchen, dining room and bathroom. One apartment is located on each floor of the home, including the basement. The third apartment has not been rented since September 1985. The property encompasses more area than that required for three apartments. There is a parking area adjacent to the alley.

A number of neighbors appeared in protest. The house was moved to the site in the early 1950's. In approximately 1959, the owner converted the building to three apartments without benefit of permit. Fifty percent of the time, the top floor apartment has been unrented. It is believed that the stability of the neighborhood is precarious because of the balance between homeowners and renters. The Protestants believe that the "middle class character" of the neighborhood would be subverted by the use of the subject property for three apartments. There was testimony as to disturbances and frequent police calls, unkempt lawn and disrepair.

The site is located in the Chesapeake Bay Critical Area. All parties to the hearing stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood.

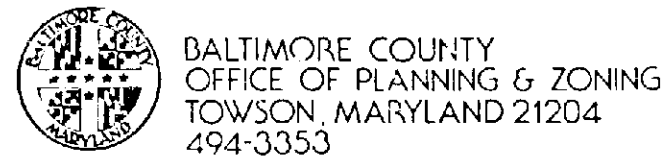
Pursuant to the advertisement, posting of property, and public hearing on the petition; after due consideration of the testimony and evidence presented, as well as a field inspection of the property, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would not result in practical difficulty and unreasonable hardship upon the petitioners; and the granting of the requested variance would adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should not be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 10th day of July, 1986 that the herein request for a variance to permit a lot width of 85 feet in lieu of the required 95 feet for a three apartment dwelling, is DENIED, from and after the date of this Order.

Jan M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

RECEIVED FOR FILING
DATE 8/6/86 BY S. Eric DiNenna

RECEIVED FOR FILING
DATE 8/6/86 BY S. Eric DiNenna



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 10, 1986

Ms. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221

RE: Petition for Zoning Variance
NE/S Kingston Rd., 146' SE
of Southern Rd.
(531 Kingston Rd.)
15th Election District
Case No. 86-521-A

Dear Ms. Pasram:

I have this date passed my Order in the above referenced Petition for Zoning Variance in accordance with the attached.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjjs

Attachments

cc: Mr. Leo Messenger
2206 Southern Road
Baltimore, Maryland 21220

People's Counsel

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 6/11/86
Posted for: Variance
Petitioner: Davitrie Pasram
Location of property: NE/S Kingston Rd., 146' SE of Southern Rd.
531 Kingston Rd.
Location of Signs: Along Kingston Rd., across 21' E. Endway,
on property of Baltimore County
Remarks: Withheld
Posted by: Withheld Date of return: 6/11/86
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 5, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 5, 1986.

THE JEFFERSONIAN,

Richard W. Benner
Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE
15th Election District
Case No. 86-521-A
LOCATION: Northeast side of Kingston Rd., 146 feet Southeast of Southern Rd. (531 Kingston Rd.)
DATE AND TIME: Tuesday, June 24, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit a lot width of 85 feet in lieu of the required 95 feet for a three-apartment dwelling.
Being the property of Davitrie Pasram, as shown on plat plan filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JABLON,
Zoning Commissioner of Baltimore County
6001 June 2

PETITION FOR ZONING VARIANCE

15th Election District

Case No. 86-521-A

LOCATION: Northeast Side of Kingston Road, 146 feet Southeast of Southern Road (531 Kingston Road)
DATE AND TIME: Tuesday, June 24, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a lot width of 85 feet in lieu of the required 95 feet for a three-apartment dwelling

Being the property of Davitrie Pasram, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Petition for Zoning Variance

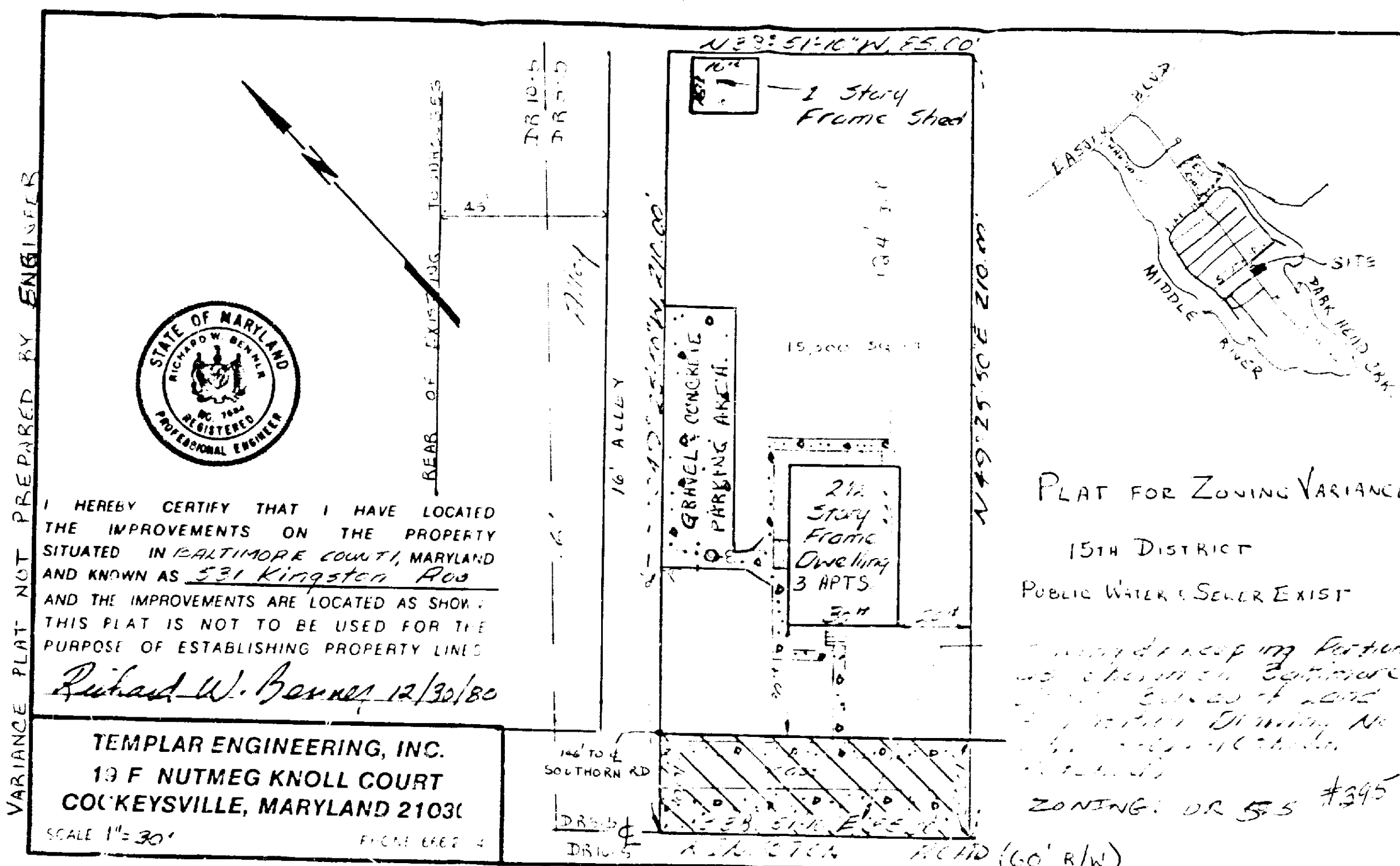
15th Election District
Case No. 86-521-A
LOCATION: Northeast side of Kingston Road, 146 feet Southeast of Southern Road (531 Kingston Road)
DATE & TIME: Tuesday, June 24, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit a lot width of 85 feet in lieu of the required 95 feet for a three-apartment dwelling.
Being the property of Davitrie Pasram, as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JABLON
Zoning Commissioner of Baltimore County

The Times

Middle River, Md., June 5, 1986

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of 2 successive weeks before the 24 day of June, 1986.
Publisher.



RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Kingston Rd., : OF BALTIMORE COUNTY
146' SE of Southern Rd. :
(531 Kingston Rd.) :
15th District :
DAVITRIE PASRAM, Petitioner : Case No. 86-521-A

ENTRY OF APPEARANCE

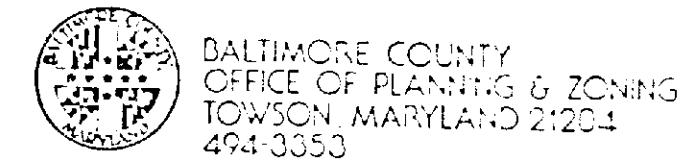
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 9th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. Davitrie Pasram, 16 South Essex Ave., Baltimore, MD 21221, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 17, 1986

Mr. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
NE/S Kingston Rd., 146' SE of Southern Rd.
(531 Kingston Rd.)
15th Election District
Davitrie Pasram - Petitioner
Case No. 86-521-A

Dear Mr. Pasram:

This is to advise you that \$51.40 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 100

DATE: _____ ACCOUNT: _____
AMOUNT \$ _____
RECEIVED FROM: _____
FOR: _____
VALIDATION OR SIGNATURE OF CASHIER: _____

Ms. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221
May 26, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S Kingston Rd., 146' SE of Southern Rd.
(531 Kingston Rd.)
15th Election District
Davitrie Pasram - Petitioner
Case No. 86-521-A

TIME: 9:30 a.m.
DATE: Tuesday, June 24, 1986
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 100

DATE: _____ ACCOUNT: _____
AMOUNT \$ _____
RECEIVED FROM: _____
FOR: _____
VALIDATION OR SIGNATURE OF CASHIER: _____

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

✓ Arnold Jablon
TO: Zoning Commissioner Date: June 9, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Variance #86-521-A; Pasram
and
Zoning Variance #86-526-A; Rutkowski et al.

I have reviewed the above petitions and have found their requests to be consistent with the requirements of the Chesapeake Bay Critical Area legislation.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:slm

cc: Ms. Jean Jung
Mr. Jim Hoswell
Mr. Tom Vidmar
Ms. Audrey Thier
Mr. Tim Dugan
Mr. Paul Solomon

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221

RE: Item No. 395 - Case No. 86-521-A
Petitioner: Davitrie Pasram
Variance Petition

Dear Mr. Pasram:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Templar Engineering, Inc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

✓ Arnold Jablon
TO: Zoning Commissioner Date: June 9, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Variance #86-521-A; Pasram
and
Zoning Variance #86-526-A; Rutkowski et al.

I have reviewed the above petitions and have found their requests to be consistent with the requirements of the Chesapeake Bay Critical Area legislation.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:slm

cc: Ms. Jean Jung
Mr. Jim Hoswell
Mr. Tom Vidmar
Ms. Audrey Thier
Mr. Tim Dugan
Mr. Paul Solomon

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: June 9, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-521-A and 86-526-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JCH:slm

CPS-008



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2586
494-4500

PAUL H. REINCKE
CHIEF

May 20, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Davitrie Pasram (Critical Area)

Location: NE/S Kingston Rd, 146' SW Southern Rd.

Item No.: 395 Zoning Appeal: 5/6/86

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

2. A second means of vehicle access is required for the site.

3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

6. Site plans are approved, as drawn.

7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

May 19, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 395 Zoning Advisory Committee Meeting are as follows:

Property Owner: *Norman Anschutz, et ux*

Location: *NE/S Naysall Road, 180 feet SE Glenmill Road*

District: *11th*

APPLICABLE CODES ARE CITED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I., #11-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a professional Engineer or Architect or Engineer is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced plans are not acceptable.

5. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. All walls built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the _____ to the _____ or to Mixed Use. See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 116.c of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.

10. Comments: Each tenant shall be provided with an independent exit. A one hour tenant separation is required to separate each tenant. A smoke detector is required in each tenant space. Maximum height for SB construction (Table 101) for R-2 Use Group is 2 stories. See Table 501.

11. These abbreviated comments reflect only the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 127 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

12. G. C. Burman, Chief Building Plans Reviewer.

IMPORTANT NOTE: _____

2-4-88

IN THE MATTER OF :
DAVITRIE PASRAM :
RE: PETITION FOR ZONING VARIANCE : COUNTY BOARD OF APPEALS
NE/S OF KINGSTON ROAD, 146' SE OF :
SOUTHERN RD (531 KINGSTON RD.) : OF
15th ELECTION DISTRICT : BALTIMORE COUNTY
CASE NO. 86-521-A

OPINION

This matter comes before the Board from the Order of the Deputy Zoning Commissioner dated July 10, 1986, denying the petitioned variance from Section 402.1, Baltimore County Zoning Regulations (B.C.Z.R.). The petitioned variance seeks relief to permit a lot width of 85 feet in lieu of the required 95 feet for a three-apartment dwelling.

There were no protestants who appeared before this Board and the only witness testifying was the Petitioner. She testified that she acquired the property by contract dated August 2, 1983. The Contract of Sale indicated that the property was of a width of 100 feet, more or less. The Petitioner assumed the mortgage of the prior property owners.

Ms. Pasram further testified that it was her understanding that the improvements on the property had been used as a three-apartment dwelling since 1959. Although tenants have not continuously occupied the dwelling since that time, the three-apartment infrastructure has existed.

In early 1986, the Zoning Office received a complaint regarding vehicles on the site and the use of the storage shed which exists on the rear property line. Although these problems were rectified, the zoning authorities notified the property owner that the site was less than 95 feet and therefore a variance was needed. The petition before us was then filed.

Case No. 86-521-A
Davitrie Pasram

It is clear that to deny the variance would result in some hardship or practical difficulty for the property owner. From a density standpoint, the property is large enough to accommodate three dwellings. Additionally, the property borders an alley, which further serves as a buffer as contemplated by the setback requirements. To restrict this property to a use less than what has been enjoyed for over 25 years would serve no purpose, and the Board therefore finds that the Petitioner has met her burden that the variance should be granted and will so order.

ORDER

IT IS THEREFORE this 12th day of February, 1987, by the County Board of Appeals ORDERED that the Variance be and is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

William T. Haskett
William T. Haskett, Chairman

Keith S. Franz

Lawrence E. Schmidt

IN THE MATTER OF :
DAVITRIE PASRAM :
RE: PETITION FOR ZONING VARIANCE : COUNTY BOARD OF APPEALS
NE/S OF KINGSTON ROAD, 146' SE OF :
SOUTHERN RD (531 KINGSTON RD.) : OF
15th ELECTION DISTRICT : BALTIMORE COUNTY
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Case No. 86-521-A
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COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

William T. Haskett
William T. Haskett, Chairman

Keith S. Franz

Lawrence E. Schmidt



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

February 12, 1987

S. Eric DiNenna, Esquire
DINENNA, MANN & BRESCHI
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: Case No. 86-521-A
Davitrie Pasram

Dear Mr. DiNenna:

Enclosed is a copy of the final Opinion and Order passed today by the County Board of Appeals in the subject matter.

Sincerely,

Kathi C. Weidenhammer
Kathi C. Weidenhammer
Administrative Secretary

Encl.

cc: Ms. Davitrie Pasram
Mr. Leo Messenger
Phyllis C. Friedman, Esquire
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 2/10/87
Posted for: Davitrie Pasram
Petitioner: Davitrie Pasram
Location of property: NE/S of Kingston Rd., 146' SE of Southern Rd.
Location of Signs: 15th ELECTION DISTRICT, 15th ELECTION DISTRICT, 15th ELECTION DISTRICT
Remarks: on property of Davitrie Pasram
Posted by: Davitrie Pasram Date of return: 2/10/87
Number of Signs: 1



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180
October 22, 1986

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-521-A

DAVITRIE PASRAM

RE: PETITION FOR ZONING VARIANCE FROM
§ 402.1 TO PERMIT A LOT WIDTH OF 85' IN
LIEU OF REQ. 95' FOR A 3 APT DWELLING
NE/S OF KINGSTON ROAD, 146' SE OF
SOUTHERN ROAD (531 KINGSTON ROAD)
15th DISTRICT

7/10/86 - D.Z.C. DENIED VARIANCE.

ASSIGNED FOR:

THURSDAY, FEBRUARY 5, 1987 at 10:00 a.m.

cc: S. Eric DiNenna, Esquire Counsel for Appellant/Petitioner
Ms. Davitrie Pasram Appellant/Petitioner
Mr. Leo Messenger Appellee/Protestant
Phyllis C. Friedman, Esquire
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois

Kathi C. Weidenhammer
Administrative Secretary

10/22/86 - NOTIFIED FOLLOWING OF HEARING SCHEDULED FOR THURS, Febr. 5, 1987 at 10 a.m.

S. Eric DiNenna, Esquire
Ms. Davitrie Pasram
Mr. Leo Messenger
Phyllis C. Friedman, Esquire
Norman E. Gerber
James Hoswell
Arnold Jablon; Jean M. H. Jung; James E. Dyer; Margaret E. duBois



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

October 22, 1986

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-521-A
DAVITRIE PASRAM
RE: PETITION FOR ZONING VARIANCE FROM
§ 402-1 TO PERMIT A LOT WIDTH OF 85' IN
LIEU OF REQ. 95' FOR A 3 APT DWELLING
NE/S OF KINGSTON ROAD, 146' SE OF
SOUTHERN ROAD (531 KINGSTON ROAD)
15th DISTRICT
7/10/86 - D.Z.C. DENIED VARIANCE.
ASSIGNED FOR: THURSDAY, FEBRUARY 5, 1987 at 10:00 a.m.
cc: S. Eric DiNenna, Esquire Counsel for Appellant/Petitioner
Ms. Davitrie Pasram Appellant/Petitioner
Mr. Leo Messenger Appellee/Protestant
Phyllis C. Friedman, Esquire
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois

Kathi C. Weidenhammer
Administrative Secretary



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

August 11, 1986

Mr. Leo Messenger
2206 Southern Road
Baltimore, Maryland 21220

Phyllis C. Friedman, Esquire
People's Council
Room 223 Courthouse
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NE/S of Kingston Rd., 146' SE of
Southern Rd. (531 Kingston Rd.)
15th Election District
Davitrie Pasram - Petitioner
Case No. 86-521-A

Dear Mr. Messenger and Ms. Friedman:

Please be advised that on August 6, 1986, an appeal was filed by Appellant/Petitioner, Davitrie Pasram, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above-captioned matter.

You will be notified of the date and time of the appeal hearing when it has been scheduled by the County Board of Appeals (494-3180).

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

ccs: Ms. Davitrie Pasram
S. Eric DiNenna, Esquire

IN RE: PETITION FOR
ZONING VARIANCE
NE/S Kingston Road,
146' SE
of Southern Road
(531 Kingston Road)
15th Election District
Davitrie Pasram
Petitioner
BEFORE THE
COUNTY BOARD OF APPEALS
FOR
BALTIMORE COUNTY
Case No.: 86-521-A

ORDER OF APPEAL

MR. COMMISSIONER:

Please enter an appeal on behalf of the Petitioner, Davitrie Pasram, to the County Board of Appeals from the Order of the Deputy Zoning Commissioner dated July 10, 1986.

S. Eric DiNenna
S. ERIC DINENNA
DINENNA, MANN & BRESCHI
406 West Pennsylvania Avenue
Towson, Maryland 21204
(301) 296-6820

Attorneys for Petitioner

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 5th day of August, 1986, a copy of the foregoing Order of Appeal was mailed, postage prepaid, to Ms. Phyllis Friedman, People's Council, Court House, Towson, Maryland 21204 and to Mr. Leo Messenger, 2206 Southern Road, Baltimore, Maryland 21220.

S. Eric DiNenna
S. ERIC DINENNA

DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR. P.A.
GEORGE A. BRESCHI, P.A.
ROBERT A. BRESCHI

406 WEST PENNSYLVANIA AVE
TOWSON, MARYLAND 21204
TEL: 296-6820

August 5, 1986

Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

RE: Davitrie Pasram, Petitioner
531 Kingston Road
Case No.: 86-521-A

Dear Mr. Commissioner:

Enclosed herewith please find an Order of Appeal concerning the above-captioned matter and my escrow check in the amount of \$90.00 to cover the cost of same.

Please forward this matter to the County Board of Appeals.

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA

SED:kar

Enclosures

cc: Ms. Davitrie Pasram
Ms. Phyllis Friedman, People's Council
Mr. Leo Messenger



DINENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.
JAMES L. MANN, JR. P.A.
GEORGE A. BRESCHI, P.A.
ROBERT A. BRESCHI

406 WEST PENNSYLVANIA AVE
TOWSON, MARYLAND 21204
(301) 296-6820

August 5, 1986

Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

RE: Davitrie Pasram, Petitioner
531 Kingston Road
Case No.: 86-521-A

Dear Mr. Commissioner:

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Please forward this matter to the County Board of Appeals.

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA

SED:kar

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025830

DATE 8/6/86 ACCOUNT 20415-000
AMOUNT \$90.00
RECEIVED FROM S. Eric DiNenna
FOR Appeal - Davitrie Pasram
Case # 86-521-A
8 8023*****200010 10/86
VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION FOR
ZONING VARIANCE
NE/S Kingston Road,
146' SE
of Southern Road
(531 Kingston Road)
15th Election District
Davitrie Pasram
Petitioner
BEFORE THE
COUNTY BOARD OF APPEALS
FOR
BALTIMORE COUNTY
Case No.: 86-521-A

ORDER OF APPEAL

MR. COMMISSIONER:

Please enter an appeal on behalf of the Petitioner, Davitrie Pasram, to the County Board of Appeals from the Order of the Deputy Zoning Commissioner dated July 10, 1986.

S. Eric DiNenna
S. ERIC DINENNA
DINENNA, MANN & BRESCHI
406 West Pennsylvania Avenue
Towson, Maryland 21204
(301) 296-6820

Attorneys for Petitioner

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 5th day of August, 1986, a copy of the foregoing Order of Appeal was mailed, postage prepaid, to Ms. Phyllis Friedman, People's Council, Court House, Towson, Maryland 21204 and to Mr. Leo Messenger, 2206 Southern Road, Baltimore, Maryland 21220.

S. Eric DiNenna
S. ERIC DINENNA

IN RE: PETITION FOR ZONING VARIANCE
NE/S Kingston Road, 146' SE
of Southern Road
(531 Kingston Road)
15th Election District
Davitrie Pasram
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-521-A

The Petitioner herein requests a zoning variance to permit a lot width of 85 feet in lieu of the required 95 feet for a three apartment dwelling.

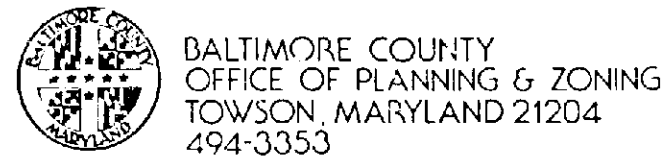
Testimony by and on behalf of the Petitioner indicated that she purchased the building in 1983 at which time three separate families lived in the three apartments, each of which has a kitchen, dining room and bathroom. One apartment is located on each floor of the home, including the basement. The third apartment has not been rented since September 1985. The property encompasses more area than that required for three apartments. There is a parking area adjacent to the alley.

A number of neighbors appeared in protest. The house was moved to the site in the early 1950's. In approximately 1959, the owner converted the building to three apartments without benefit of permit. Fifty percent of the time, the top floor apartment has been unrented. It is believed that the stability of the neighborhood is precarious because of the balance between homeowners and renters. The Protestants believe that the "middle class character" of the neighborhood would be subverted by the use of the subject property for three apartments. There was testimony as to disturbances and frequent police calls, unkempt lawn and disrepair.

The site is located in the Chesapeake Bay Critical Area. All parties to the hearing stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood.

RECEIVED FOR FILING
DATE 8/6/86 BY S. Eric DiNenna

RECEIVED FOR FILING
DATE 8/6/86 BY S. Eric DiNenna



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 10, 1986

Ms. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221

RE: Petition for Zoning Variance
NE/S Kingston Rd., 146' SE
of Southern Rd.
(531 Kingston Rd.)
15th Election District
Case No. 86-521-A

Dear Ms. Pasram:

I have this date passed my Order in the above referenced Petition for Zoning Variance in accordance with the attached.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjjs

Attachments

cc: Mr. Leo Messenger
2206 Southern Road
Baltimore, Maryland 21220

People's Counsel

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 6/11/86
Posted for: Variance
Petitioner: Davitrie Pasram
Location of property: NE/S Kingston Rd., 146' SE of Southern Rd.
531 Kingston Rd.
Location of Signs: Along Kingston Rd., across 21' E. Endway,
on property of Baltimore
Remarks: Withheld
Posted by: Withheld Date of return: 6/15/86
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 5, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

June 5, 1986

THE JEFFERSONIAN,

W. Venetaki
Publisher

Cost of Advertising

24.75

PETITION FOR ZONING
VARIANCE
15th Election District
Case No. 86-521-A
LOCATION: Northeast side of
Kingston Rd., 146 feet Southeast
of Southern Rd. (531 Kingston Rd.)
DATE AND TIME: Tuesday, June
5, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland
The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Zoning Variance to permit
a lot width of 85 feet in lieu of the
required 95 feet for a three-apartment
dwelling.
Being the property of Davitrie Pasram,
as shown on plat filed with the
Zoning Office.
In the event that this Petition is
granted, a building permit may be issued
within the thirty (30) day appeal
period. The Zoning Commissioner
will, however, entertain any request
for a stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing set
above or made at the hearing.
By Order of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
6001 June 2

PETITION FOR ZONING VARIANCE

15th Election District

Case No. 86-521-A

LOCATION: Northeast Side of Kingston Road, 146 feet Southeast of
Southern Road (531 Kingston Road)
DATE AND TIME: Tuesday, June 24, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a lot width of 85 feet in lieu
of the required 95 feet for a three-apartment dwelling

Being the property of Davitrie Pasram, as shown on plat
plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued
within the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this period
for good cause shown. Such request must be received in writing by the date of the
hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Petition for Zoning Variance

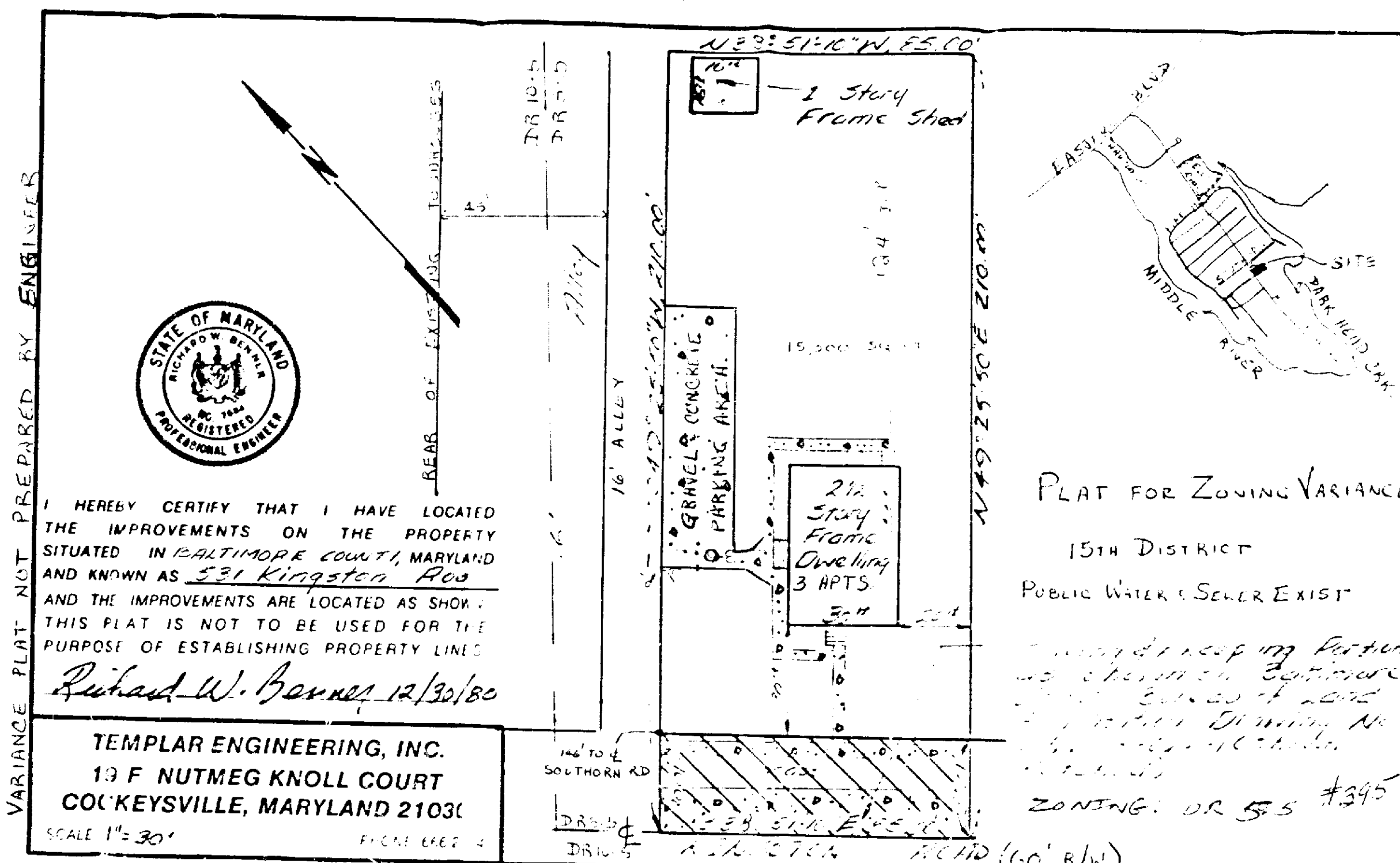
15th Election District
Case No. 86-521-A
LOCATION: Northeast side of
Kingston Road, 146 feet Southeast
of Southern Road (531 Kingston Rd.)
DATE & TIME: Tuesday, June 24,
1986, at 9:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
Chesapeake Avenue, Towson,
Maryland.
The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing:
Petition for Zoning Variance to permit
a lot width of 85 feet in lieu of the
required 95 feet for a three-apartment
dwelling.
Being the property of Davitrie Pasram,
as shown on the plat filed with the
Zoning Office.
In the event that this Petition is
granted, a building permit may be issued
within the thirty (30) day appeal
period. The Zoning Commissioner
will, however, entertain any request
for a stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing
set above or made at the hearing.
By Order of
Arnold Jablon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., June 5, 1986

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed
and published in Baltimore County, once in each
of 2 successive
weeks before the 24 day of
June, 1986
Publisher.



RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Kingston Rd., : OF BALTIMORE COUNTY
146' SE of Southern Rd. :
(531 Kingston Rd.) :
15th District :
DAVITRIE PASRAM, Petitioner : Case No. 86-521-A

ENTRY OF APPEARANCE

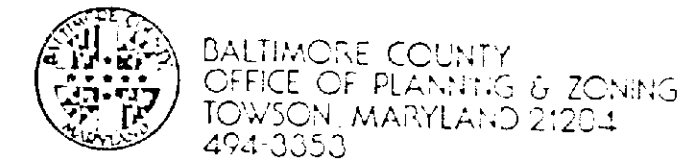
Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates or
other proceedings in this matter and of the passage of any preliminary
or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 9th day of June, 1986, a copy
of the foregoing Entry of Appearance was mailed to Mr. Davitrie Pasram,
16 South Essex Ave., Baltimore, MD 21221, Petitioner.

Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 17, 1986

Mr. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
NE/S Kingston Rd., 146' SE of Southern Rd.
(531 Kingston Rd.)
15th Election District
Davitrie Pasram - Petitioner
Case No. 86-521-A

Dear Mr. Pasram:

This is to advise you that \$51.40 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86-521-A

DATE: ACCOUNT:
RECEIVED FROM: AMOUNT \$
FOR: VALIDATION OR SIGNATURE OF CASHIER

Ms. Davitrie Pasram
16 South Essex Avenue
Baltimore, Maryland 21221

May 26, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S Kingston Rd., 146' SE of Southern Rd.
(531 Kingston Rd.)
15th Election District
Davitrie Pasram - Petitioner
Case No. 86-521-A

TIME: 9:30 a.m.

DATE: Tuesday, June 24, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

DATE: ACCOUNT:
RECEIVED FROM: AMOUNT \$
FOR: VALIDATION OR SIGNATURE OF CASHIER